

PROFESSIONAL LICENSURE DIVISION[645]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 148G.5 and 152B.6, the Iowa Board of Respiratory Care and Polysomnography hereby gives Notice of Intended Action to amend Chapter 5, “Fees,” Iowa Administrative Code.

Iowa Code section 147.80 requires each licensing board to set its fees at a level which will be sufficient to cover its ongoing expenditures. Annual board expenditures include items such as administrative staff time, licensing staff time, board member per diem and travel expenses; board regulatory activities including investigations, administrative hearings and legal counsel; and items of general support including IT equipment and software, office supplies and office rent and utilities. The Board of Respiratory Care and Polysomnography is not currently meeting the statutory requirement to bring in sufficient revenue to cover ongoing expenses. The Board proposes to set fees for the new polysomnography technologist license, set fees for the new dual respiratory care and polysomnographic practitioner license and raise the initial license and renewal fees for the respiratory care license, intended to become effective January 1, 2017, which is the date that licensure for polysomnography technologists and respiratory care and polysomnographic practitioners becomes effective.

The proposed fees are as follows: Initial and renewal for Respiratory Care Practitioner, \$75; Initial and renewal for Respiratory Care and Polysomnography Practitioner, \$90; Initial and renewal for Polysomnography Technologist, \$330; Reactivation fee for Respiratory Care Practitioner, \$135; Reactivation fee for Respiratory Care and Polysomnography Practitioner, \$150; and Reactivation fee for Polysomnographic Technologist, \$390.

Chapter 5 is shared by all of the Boards in the Bureau of Professional Licensure. However, this rule making proposes only to make changes to the fees affecting the Board of Respiratory Care and Polysomnography.

Any interested person may make written comments on the proposed amendment no later than August 2, 2016, addressed to Tony Alden, Professional Licensure Division, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; e-mail tony.alden@idph.iowa.gov; fax (515)281-3121.

A public hearing will be held on July 12, 2016, from 9 to 10 a.m. in the Fifth Floor Conference Room 526, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendment.

Waiver provisions pertaining to these administrative rules are contained in 645—Chapter 18.

After analysis and review of this rule making, no impact on jobs is expected.

This amendment is intended to implement Iowa Code sections 147.80, 148G.5, 148G.6(1) and (5), and 152B.6.

The following amendment is proposed.

Amend subrules 5.17(1), 5.17(2) and 5.17(4) as follows:

5.17(1) Initial or endorsement license fee, to practice respiratory care is ~~\$120, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).~~

a. The initial license fee for a respiratory care practitioner license is \$75, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

b. The initial license fee for a polysomnographic technologist license is \$330, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

c. The initial license fee for a respiratory care and polysomnography practitioner license is \$90, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI).

5.17(2) Biennial license renewal fee for each biennium is \$60.

a. The biennial license renewal fee for each biennium for a respiratory care practitioner license is \$75.

b. The biennial license renewal fee for each biennium for a polysomnographic technologist license is \$330.

c. The biennial license renewal fee for each biennium for a respiratory care and polysomnography practitioner license is \$90.

5.17(4) Reactivation fee is \$120, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

a. The reactivation fee to practice respiratory care is \$135, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

b. The reactivation fee to practice as a polysomnography technologist is \$390, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.

c. The reactivation fee to practice respiratory care and polysomnography is \$150, plus the cost for evaluation of the fingerprint packet and the criminal history background checks by the Iowa division of criminal investigation (DCI) and the Federal Bureau of Investigation (FBI) if the license has been on inactive status for two or more years.